DOCUMENT RESUME

ED 134 484 95 SO 009 617

AUTHOR Nelson, Jack L.; Hering, William S.
TITLE Developing a Position on Academic Freedom and Censorship.
INSTITUTION ERIC Clearinghouse for Social Studies/Social Science Education, Boulder, Colo.; Social Science Education Consortium, Inc., Boulder, Colo.
SPONS AGENCY National Inst. of Education (DHEW), Washington, D.C.
PUB DATE 76
NOTE 29p.
AVAILABLE FROM Publications, Social Science Education Consortium, 855 Broadway, Boulder, Colorado 80302 (order SSEC no. 192, $1.35 paper cover)

EDRS PRICE MF-$0.83 HC-$2.06 Plus Postage.
DESCRIPTORS *Academic Freedom; *Censorship; Civil Rights; Educational History; Elementary Secondary Education; Freedom of Speech; Legislation; Moral Criticism; *Moral Issues; Moral Values; Personal Values; School Environment; Self Control; Teacher Responsibility; Teacher Role; *Teachers

ABSTRACT

The intent of this paper is to assist social studies teachers in a thoughtful consideration of differing views on academic freedom. Practical information serves as background for forming a set of principles to guide decisions about teaching that involves controversial methods or content. Case studies illustrate several ways in which academic freedom can become an issue in elementary and secondary schools. Historical background demonstrates that the European university tradition has provided much of the basis for academic freedom in American universities, but has had little effect on freedom in elementary and secondary schools. Various definitions of academic freedom are categorized as upholding (1) no grounds for distinguishing academic from general freedom, (2) structurally limited freedom, or (3) professionally limited freedom. Legal restrictions, formal regulations, and self-censorship are shown to be possible sources of infringement upon academic freedom. A set of seven factors that should be considered by teachers in determining a personal set of academic freedom principles are suggested: community attitudes, school and system attitudes, legal rights, professional obligations, historical precedents, responsibilities to students, and personal philosophies and ethical convictions. Several questions about the meaning and application of academic freedom in elementary and secondary schools conclude the document. (Author/ND)

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DEVELOPING A POSITION ON ACADEMIC FREEDOM AND CENSORSHIP

by

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SP009617

Published jointly by:

ERIC Clearinghouse for Social Studies/Social Science Education, Boulder, Colorado

and

Social Science Education Consortium, Inc., Boulder, Colorado

1976

The material in this publication was prepared pursuant to a contract with the National Institute of Education, U.S. Department of Health, Education, and Welfare. Contractors undertaking such projects under government sponsorship are encouraged to express freely their judgment in professional and technical matters. Prior to publication, the manuscript was submitted to the National Council for the Social Studies for critical review and determination of professional competence. Points of view or opinions, however, do not necessarily represent the official view or opinions of either the National Council for the Social Studies or the National Institute of Education.

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Introduction

The general concept of freedom in teaching is a widely applauded goal, yet in actual practice censorship, restriction, and pressure to conform are widely evident in public schools. Forty years ago Howard K. Beale pointed out this paradox, noting the problem of defining the term *freedom* and the practical result for teachers.

> Freedom in any sphere of activity is difficult to define. Most Americans give lip service to it, even when seeking to destroy it. In the abstract it is generally approved. In the concrete, espousal of freedom inevitably arouses dispute. . . .
>
> Cases of dismissal, large though they bulk in the public eye, are the least important infringements of the teacher's freedom. The real problem of those interested in freedom is not to prevent dismissal but to protect the teacher from the innumerable repressions short of dismissal, which prevent his full self-expression or deny him the privilege of intellectual honesty. (Beale 1936, pp. 1, 13)

More than a third of a century later, the problem Beale recognized still plagues many American teachers and schools. Some contemporary examples follow.

* * * * * * * * *

A scenario of an American teacher:

> Marge Campbell was attending a conference for social studies teachers. She had been to two workshop sessions specially designed for elementary school teachers. One of them had been boring, but the other had inspired her to think about several suggestions for class activities. She was struck with the idea that her students should know more about other cultures as a way of knowing more about their own. As she left the second session and entered the crowded hallway, she saw Bill Woodruff and Sandy Bergstrom, two teachers from her school.

"Hi!" she greeted them. "I just heard a great presentation on comparative culture study. It sounds like just the idea I've been after to liven up my fifth-grade social studies."

"Oh? We're on our way back to the book exhibits," Bill said. "Sandy wants to show me some books I missed. She found a set of materials that she thinks are provocative. If what she tells me is true, it's really good stuff, but the Board will never buy it."

"Why not?" Marge was interested.

"Apparently, there's a group protesting that these books are un-American," Sandy answered. "They've been put on some list in Florida and even the publisher's salesman seems defensive about them."

"But what makes them un-American?"

"They have pictures of tribal customs, stories about communal life and death practices, and student questions about values," Sandy replied. "I heard about the books from a friend who teaches in a district across the state. They were examining different books to decide which ones to order for the school, and someone told them about the Florida list, so they refused to consider any of these books. Nobody needs that kind of trouble! You read about the Kanawha County, West Virginia, controversy, didn't you? They had strikes and bombings over the same books!"

"Do you want to come along?" Bill added. "These books might fit right into your comparative culture program, if you want to live dangerously."

"Well . . . no thanks. I've about decided to stick to our original course outline. No one has complained about it . . . . Maybe I will join you, though. I might find some good biographies of American heroes."

* * * * * * * * *

And a statement from a private citizen in another state:

A local high school social studies teacher conducted a class on peace and war. The school district was noted as one

of the more liberal ones in the region, and his course was taught during the Vietnam war when it was considered unpopular to present peace studies. Although he was a very popular teacher and had proper approval to teach the class as a regular course offering, he had difficulties obtaining teaching materials and having them readily available for student use. As an interested parent, I asked him about his course and he mentioned some excellent reading material he had asked the library to acquire for the class. The librarian had reluctantly agreed to get the materials.

I visited the library and asked a library aide at the circulation desk where I could find the materials. After some delay and discussion behind the head librarian's door, I was asked to come into her office. She wanted to verify that I was legitimate. When I persisted in my request to see the materials, she indicated that they were kept only for the teacher's use and were not openly available. She kept them in her office. Apparently anti-war material used in a regular course was so controversial that it was "school-classified." I was reminded of my own high school days when all the sex books were kept in locked cabinets in the library.

* * * * * * * * *

And in New Jersey:

A group of highly vocal citizens who opposed sex education in the schools organized a statewide campaign against it during the 1970s. Some outcomes:

1) In one city the school administrators decided to display all sex education teaching materials in use. One of the films to be publicly shown was produced by a major educational filmmaker that had distribution offices very near the district. The film dealt with childbirth and was a primary target of the anti-sex-education group. A crowd packed the high school auditorium for the film showing so a decision was made to show it again the next night. A newspaper account of the crowd appeared the following day. By the second night's showing the

filmmaker's name had been edited out of the credits.

2) The State Department of Education declared a moratorium on all new sex education programs in all public schools.

3) In one school district sex education had been limited to a short course open only to 12th-grade students. Driver's education preceded sex education as the 11th-grade subject. When the district officials decided to develop a more comprehensive sex education program, they held a public meeting to discuss it. The session had the highest attendance of any school board meeting in recent memory. During the course of the meeting, a small band of people wearing identical lapel pins argued forcefully that sex education was part of a communist plot to undermine American morality.

* * * * * * * * *

And in California:

The California Education Code (composed of laws passed by the state legislature) contains the following section:

> No teacher giving instruction in any school, or on any property belonging to any agencies in the Public School System, shall advocate or teach communism with the intent to indoctrinate any pupil with, or inculcate a preference in the mind of any pupil for communism.
>
> The legislature is prohibiting the advocacy or teaching of communism with the intent to indoctrinate any pupil with or inculcate a preference in the mind of any pupil for, such doctrine does not intend to prevent the teaching of the facts of the above subject but intends to prevent the advocacy of, and inculcation and indoctrination into communism as in hereinafter defined, for the purpose of undermining the patriotism for, and the belief in, the government of the united States and of this State in the minds of the pupils in the Public School System.
>
> For the purposes of this section, communism is a political theory that the presently existing form of government of the United States or of this State should be changed, by force, violence, or other unconstitutional means, to a totalitarian dictatorship which is based on the principles of communism as expounded by Marx, Lenin, and Stalin. (California Education Code 1975)

* * * * * * * * *

And in Arizona:

> Ken Donelson, English Professor at Arizona State University, reports that in February 1973 a bill was introduced into the Arizona House of Representatives that purported to be a "Parent's Bill of Rights." In its early form the bill contained the following paragraph:
>
> > No employee of a school and no person brought into a school by the administration may seek to subvert parental authority by acting as a change agent of attitudes, values and religious or political beliefs of the students. (Donelson 1975, p. 191)
>
> This form of the bill was defeated, but it suggests some of the forces seeking to control teachers' actions. A bill using strikingly similar language was introduced into the Maryland legislature. Donelson suggests that censorship has become increasingly commonplace and threatens most subjects in the schools.

* * * * * * * * * *

These examples illustrate some aspects of the issues involved in academic freedom and censorship. They are only a few of thousands of similar examples from classrooms, publishing houses, libraries, legislatures, and the experiences of individual teachers throughout the country.

On a general level, it is easy to support academic freedom and to take a stand against censorship, but it may be very difficult for an individual teacher to justify these attitudes when a specific conflict arises. Because the term *academic freedom* is so elusive and vague, teachers who wish to exercise that freedom must develop an informed and thoughtful definition of what it means to them.

An official position statement approved by the National Council for the Social Studies (NCSS) Board of Directors in 1974 stated that teachers are "professionally obligated to maintain a spirit of free inquiry, open-mindedness, and impartiality in the classroom." The position statement also asserted that "teachers must be free to examine controversial issues openly in the classroom" (NCSS 1975, p. 240). Freedom of speech is one of our most cherished rights. Does this right extend to the speech of

instructors in classrooms? Are there any grounds for claiming that teachers, as U.S. citizens, have the right to say anything as long as it does not violate the restrictions on libel, slander, and obscenity? Or should teachers, because of their special positions as instructors of minors, be restricted from their normal constitutional right to freedom of speech while in the classroom? Should teachers' jobs be jeopardized if they overstep these restrictions?

These questions must be carefully considered by teachers who are trying to define *academic freedom* and assess their professional ethics and responsibilities. The intent of this paper is to assist social studies teachers in a thoughtful consideration of differing views on academic freedom. Practical information can serve as background for distilling a set of principles to guide decisions about teaching that involves controversial methods or content. The issue of students' rights to academic freedom represents a large topic in itself; the focus of this paper is on teachers' rights. But since students' rights may be an important aspect of a teacher's definition of academic freedom, we have included some references on students' rights at the conclusion of the paper.

Critics and the Schools

New assaults on schools and teachers continue a cycle of educational criticism that has long historic roots. Every significant social institution undergoes scrutiny at some time in its development. The more public and pervasive the institution, the more likely it is to be subjected to attacks at any time from several quarters. Such a public and pervasive institution as the school in a modern democracy suffers almost continuous criticism from at least some of its many constituencies.

On the positive side, educational critics continually remind school officials of the obligations and potentials of public education. This provides a healthy stimulus for growth and reexamination. However, the buffeting winds of criticism often produce a supersensitivity and a tendency to sacrifice principled judgment in favor of acquiescent conformity. Whether the critics express a liberal or conservative view of education, the schools are expected to change the content, structure, and/or method of instruction accordingly.

Schools have bureaucratic mechanisms that can respond to criticism: boards, superintendents, principals, committees, and statements of procedures. This bureaucratic system, in fact, often reacts in anticipation of public criticism, or responds to vocal elements too zealously, without due regard for reasoned judgment. Teachers themselves typically exercise substantial caution in exploring controversial subjects, even to the extent of unnecessary self-censorship.

It is in this context of continual public scrutiny that the notion of academic freedom has evolved. Schools and teachers have historically had to respond to criticism and review; the issues of academic freedom, academic responsibility, and censorship are not new. As times and situations have changed, the nature and definition of academic freedom has also changed. Contemporary attitudes about academic freedom draw from a tradition as old as Western Civilization itself.

Historical Background of Academic Freedom

The concept of academic freedom in Western society goes back at least to Socrates' defense when he was charged with corrupting the youth of Athens. Socrates' inspirational message is a worthy argument for the freedom to teach and freedom to learn. Unfortunately, Socrates was unconvincing to those in power, and he is remembered more as a martyr to the cause than as a successful champion of academic freedom.

As Hofstadter and Metzger (1955) detail in their basic work on the history of academic freedom in the United States, the general meaning of the term originated in European universities, which were collections of teachers and learners. These universities, as well as individual scholars and scientists, struggled against doctrinal control of knowledge. Because of the power and authority of medieval churches, the battle for intellectual autonomy was essentially a conflict over religious interpretations of truth.

In the 18th and 19th centuries political authority supplanted the church as sponsor of many universities, though religious influence remained strong (for example, religious tests and restrictions at Oxford and Cambridge were not removed until after 1850). The development of

government sponsorship of higher education brought political interference in educational matters, in addition to religious influences.

The German university model for academic freedom emerged during the 19th century; the university was seen as a place where scholars were to pursue the truth, formulate it, and transmit it to students, who were expected to be independently searching for truth themselves. The search for truth had to be free from religious and state control. There were a few conditions that limited this freedom, however. A professor of philosophy could be absolutely free, but a professor of theology would have to take a position consistent with accepted religious views. Professors of political and social science in state-controlled schools had to accept the idea of a state. Thus, no atheist could have the freedom to teach religion and no anarchist would be free to teach government in a state-supported school. Another expressed limitation was that professors were free to study and speak only within the university; they were not free to take public action. Since the German university was perceived as separate from the general community, academic freedom was considered an internal matter.

The American form of academic freedom in higher education drew from European precedents, and similar restrictions have occurred in American institutions. The first pressures that caused silencing or dismissal came from demands for religious conformity; later, views on politics, economics, and sex became grounds for censorship and firing. The American Association of University Professors (AAUP), formed in 1915, became a major influence in the development of academic freedom in American higher education. The official AAUP statement on academic freedom and tenure, modified on several occasions and now including student protections, has gained support from many notable organizations. Other organizations, like the American Civil Liberties Union (ACLU 1971) have also formulated statements about academic freedom. Various contemporary views on academic freedom fall into several broad categories that may be useful for formulating a personal position statement.

Broad Categories of Views on Academic Freedom

In practice, there are several different meanings of the term academic freedom. An examination of the different definitions suggests the following categories.

1) No Grounds for Defining "Academic" Freedom

Essentially, those taking this position argue that there is no basis for providing a separately identifiable freedom to teachers since they are guaranteed the same freedoms as all citizens. No special inherent characteristic of teachers' roles demands protection beyond that found in the Constitution, the Bill of Rights, and other general laws. Freedom of speech, assembly, association, religion, and other civil liberties are more than adequate to protect the rights of educators.

Liberty, in this view, is not divisible; general freedoms exist, so specific freedoms need not be defined in terms of particular circumstances. All freedoms are subject to some limitations according to the time, place, person, and situation involved, but they are based on general legal guarantee for all citizens. Thus, the legal protection of freedom of speech may be limited by circumstances of what is spoken, when, where, and by whom. Shouting "Fire!" in a crowded theater is the classic example of speech that is not protected. General freedoms do not protect people from loss of position, but only from illegal interference in the exercise of their rights. Teachers, then, have a right to freedom of speech, but may lose their jobs as a direct result of exercizing that right.

2) Structurally Limited Freedom

This view is based on the premises that (a) all freedoms are limited, (b) the act of formal education requires special consideration not generally applicable to all citizens, and (c) schools need to provide some structural or organizational mechanisms to screen out those for whom protection should not be available. Some examples of expressed views on freedoms and limitations follow. These examples do not list the possibilities exhaustively, nor are they meant to be cumulative. Any one or any combination of these structural limitations could be incorporated into a teacher's position on academic freedom.

Limited to Specific Acts or Topics. This view holds that freedom in education should be limited to those who are engaged in research or the search for truth, and then only within the narrow confines of the discipline in which research is being conducted. Until the truth is adequately known, academic freedom should not protect the teacher. Thus, any subject about which there is insufficient information or major controversy among scholars is excluded from protection. Such subjects should be open to research, but not taught in classrooms with impunity.

Limited According to Position, Status, or Institutional Situation. In this view, academic freedom should be limited to those who hold legitimate positions in institutions where open inquiry is a goal. Excluded should be those institutions that are affiliated with religious or political entities with stated purposes that imply restrictions on teachers there. Specialized, parochial, military, and other schools could require limitations on faculty and student freedoms. State-supported institutions could impose loyalty oaths. Academic freedom should be more liberal at upper grades of secondary school, but less as the age and grade level of students decreases, because of the impressionability of children and the authority status of teachers.

Limited by Special Training in Field of Study. This would limit teacher freedom to those who have academic preparation of a certain level in a particular field. Teachers would not be protected when teaching in areas outside their own field, or when making public statements on subjects other than their specialty.

Limited by Competence, Experience, or Institution. In this view, academic freedom should accrue as a result of demonstrated competence in teaching. This supports the idea of teaching without benefit of tenure for a provisional period. Pretenure teachers would have the protection of general freedoms, but not academic freedom. Those judged competent would merit tenure and academic freedom. Also, academic freedom presumably would depend on the students' level and ability to handle the material. Freedom for teachers would exist within the school, but there would be no special protection for public acts. Activities like engaging in political action, writing letters to the editor on public issues, or otherwise speaking out on social affairs would not have the security of academic freedom.

3) Professionally Limited Freedom

This view also accepts the idea that freedom is limited and that educational needs for open exploration of topics demand protection under the fabric of academic freedom, but rejects the need for structural limits. The burden of limiting academic freedom should be placed on the professionals who desire its protection, so that teachers are bound together as individuals with a common goal of seeking knowledge.

According to this view, academic freedom should be available to all teachers who accept a professional code. Limitation should only be imposed by standards of the teaching profession. Any teacher who does not conform to a legitimate code of professional ethics is not protected. This code of ethics would be predicated on the search for truth and the need to permit exploration of any topic. Not every act of each teacher would fall within the purview of academic freedom. Falsifying records, engaging in illegitimate physical or mental abuse of others, plagiarizing, and excessively restricting open inquiry are examples of unprofessional conduct that would not be protected. This idea of academic freedom assumes that those accorded it are professionals engaged in the conduct of their affairs, not servants of the public will or employees whose work depends significantly on management decisions. Peer-review systems would render judgments in cases where infringements of academic freedom is charged. This burden of professional policing would be extralegal in the sense that it would exist beyond the framework of courts, though, of course, its procedures and results would have to be consistent with fair and just practices and subject to legal review.

The Nature of Academic Freedom in Elementary and Secondary Schools

The broad categories described above evolved in the context of the university tradition of academic freedom. Much has been written about academic freedom in higher education. Freedom in colleges and universities seems to derive from the professional nature of their research functions, the assumed maturity of their students, the long and vocal struggle waged against external control, and the university tradition that began in Europe. For teachers in elementary and secondary schools, however, freedom to teach has had much less support traditionally.

The tradition of academic freedom in elementary and secondary education is very mixed. Early American dames and schoolmasters often had had severely limited educations themselves and were hired as public servants to perform tasks under strong community restraint. They were not expected to think and behave independently, but were employed to indoctrinate children with commonly accepted truths of religion, morality, and scholarship. Strict codes regarding dress, manner, conduct, friendships, courtship, and life-style of teachers were accompanied by rigid control of teaching content and sequence in public and private schools. Drinking, smoking, dancing, using profanity, marrying, divorcing, belonging to organizations (or refusing to), and a long list of other behaviors were grounds for dismissal or punishment in a variety of states. Controversial statements in classrooms, deviation from approved curriculum, and use of unapproved materials, speakers, or other resources also cost or threatened teachers' jobs.

Although there have been organized attempts by elementary and secondary teachers to direct attention to academic freedom matters, they have not had notable success. Most disputes over teacher restrictions are treated as contract grievances or ignored. They are seldom seen as academic freedom cases. The increased emphasis on teacher bargaining in school districts has apparently not had a concommitant emphasis on academic freedom. Teacher power has altered economic and workload decisions, but there appears to be little stress on the basic issue of freedom to teach.

What does it mean to say that a public school teacher should have academic freedom? How does "academic" freedom differ from other freedoms guaranteed to citizens? Generally, reasons to support academic freedom respond to a basic dilemma of social studies teachers. On one hand, they are encouraged to teach controversial issues, to present alternate views on topics, and to use methods that expand their students' perceptions of society. On the other hand, they are responsible for the children of the school district and they serve as important socialization agents in the community. While these two roles are not necessarily incompatible, the fact is that in many communities serious differences arise between what professionals believe ought to be taught in social studies classes and what citizens feel is appropriate content.

Academic freedom, or the freedom to use materials and methods of the teacher's choice, is legally supported in several ways. Tenure provisions in state laws and teacher contracts insure that the teacher will not be dismissed for using methods or materials that may be controversial in the community. Historically, however, tenure laws were intended to provide a continuing, stable learning environment for children. So the role of the teacher is to provide stability while dealing with controversy. Support for teacher freedom is also contained in the Constitution; when academic freedom cases are decided in courts of law, the teacher's best defense is frequently based on guarantees in the First and Fourteenth Amendments. Of course, the best support for academic freedom is a competent and knowledgeable teacher in a school system and community that are mutually supportive of the need to study controversial topics in social studies classes.

What are some ways in which academic freedom is restricted or even denied? State laws, board regulations, and administrative structures can limit teacher freedoms. Actions by individuals and community pressures can also inhibit academic freedom. In addition, school systems can restrict teachers through veiled threats like the possibility of reassignment in a less desirable position or location. Perhaps the most common restriction on academic freedom is self-censorship, the tendency of teachers to avoid topics or materials that they believe may be controversial.

Self-censorship would not occur if teachers did not fear some consequences, whether real or imagined. It is the most subtle restriction on academic freedom and one can only speculate on how often it occurs. Although some teachers may not be subject to much self-censorship, most teachers restrict study according to their perceptions of community values. Controversial subjects are commonly avoided because the teacher fears community reaction.

Some Legal Standards Limiting Teachers

A teacher's methods are not without limits. Teachers occupy a unique position of trust in our society, and they must handle such trust and the instruction of young people with great care.

> On the other hand, a teacher must not be manacled with rigid regulations, which preclude full adaptation of the course to the times in which we live. It would be ill-advised to presume that a teacher would be limited, in essence, to a single textbook in teaching a course today in civics and social studies (*Sterzing* v. *Fort Bend Independent School District* 1974).

This was the opinion of the United States District Court in 1972 when Judge Carl O. Bue ruled on the appeal of Henry K. Sterzing. Although the Court acknowledged that there are grounds for limiting the freedom of expression of a teacher of young people, it also asserted that teachers deserve protection from restrictions that interfere with attempts to conduct instruction "within the ambit of accepted professional standards."

The Court attempted to draw the line--to indicate that there are limits and that some restrictions are appropriate, but that those limits must not be too confining. "A responsible teacher must have freedom to use the tools of his profession as he sees fit." On the other hand, the Court stated that a teacher has a duty "to be cognizant of and sensitive to the feelings of his students, their parents, and their community." Although the Court supported Sterzing's suit against the Ft. Bend Independent School District, it did not state that a teacher has an absolute right to use materials and methods that may be at odds with community feeling.

What, then, are appropriate limits to academic freedom? The District Court stated that instructors are entitled to "the substantive rights of a teacher to choose a teaching method, which, in the Court's view, on the basis of expert opinion, served a demonstrated educational purpose." The Court also found that a teacher has a right "not to be discharged for the use of a teaching method which was not proscribed by a regulation or definitive administrative action." This ruling suggests that a school administration can impose limits on the methods that a teacher may use, but it does not examine the question of what limits are excessively restrictive.

Can a teacher legally be denied the right to express an opinion? In the case of *Epperson* v. *Arkansas* (1968), the U.S. Supreme Court concluded that "the state's undoubted right to prescribe the curriculum for its public schools does not carry with it the right to prohibit, on pain

of criminal penalty, the teaching of a scientific theory or doctrine where that prohibition is based upon reasons that violate the First Amendment." But in the case of *Mailloux* v. *Kiley* (1971)--a case in which a teacher was dismissed for using a taboo word to illustrate a point about the use of such words--the First Circuit Court of Appeals argued that each case regarding freedom of speech in the classroom is subject to individual review. According to the Court, the First Amendment does not grant teachers a license to say or write whatever they like in class, and the age and sophistication of the students is a relevant consideration. How closely the method approximates a valid educational objective and the context and manner of presentation were also defined as relevant considerations. The Court stated, "At present we see no substitute for a case-by-case inquiry into whether the legitimate interests of the authorities are demonstrably sufficient to circumscribe a teacher's speech."

The District Court which first heard this case had argued that the rights of college professors and the rights of high school teachers are different; classroom rights of secondary school teachers are limited to freedom from "discriminatory religious, racial, political and the like measures" and freedom from state action which is "unreasonable or perhaps has not even a plausible rational basis." The Court pointed out that secondary schools stand more *in loco parentis* than colleges and universities, are closer to the authority of a local school board, and are expected to concentrate on transmitting basic knowledge and indoctrinating students in the mores of society. The Court added that secondary school teachers often have less experience or intellectual and emotional maturity than university professors, and that secondary students are not always in the classroom voluntarily.

The fact that the District Court held this opinion, yet ordered that the teacher be reinstated, may seem surprising. But the Court argued that a teacher should not be required to "guess what conduct or utterance may lose him his position" and that "unless the state proves that he was put on notice either by a regulation or otherwise that he should not use that method" the teacher could not be dismissed. Within the context of legal decisions, it is clear that freedom of speech in classrooms has limits, but these limits are not clearly stated nor are they easily applied to every case.

Self-Censorship

Because of teachers' uncertain legal rights, self-censorship remains a restrictive force. There are probably very few teachers who believe that their freedom of expression has no limits or that they are free to teach about any subject using any method. This feeling applies to methods and materials that the teacher may be convinced are appropriate to the subject just as much as it does to methods and materials that may be of questionable relevance. The important consideration is the nature and extent of the anticipated consequences. Disputes over restrictions on teachers may become court cases, but more often they are handled through informal influence and self-censorship. Consider the following example based on actual occurrences.

> John Smith has been teaching in the same high school for nine years. He is considered a good teacher, creative and hard working. He is rarely satisfied with materials in textbooks and curriculum packages sold by publishers. Mr. Smith supplements these materials with as much recent information as he can locate, and attempts to select materials that, in his judgment, are most appropriate for his students. This means that many hours of preparation are required and that Mr. Smith takes some pride in the work he does for his students.
>
> One semester he decided to make some changes in his 12th-grade social science course. The course is intended to serve as an introduction to several behavioral sciences and is an option selected by about a third of the senior class to satisfy their social studies requirements. Mr. Smith has always taught at least one section of the course and enjoys teaching it more than other courses. He is well prepared, having majored in sociology and minored in political science. In the past he never had difficulty teaching the course as he wished, and no one ever questioned the materials he used.
>
> This semester things were different. Mr. Smith felt that in the past the unit on the family had been narrow and unexciting. He decided students should realize that there are

several possible arrangements that can be defined as a family, and the Western model of the husband, wife, and children in a nuclear family is only one of those arrangements. Because he thought his own students would soon face decisions that question assumptions about the traditional family structure and monogamy, he felt an obligation to help them examine the family from several perspectives, including the traditional Western model.

He prepared a new unit, including a number of readings selected from magazine articles, synopses of family life in different cultures (which he had written from his own knowledge, personal library, and college notes), and several open-ended questions that were to serve as provocative stimulants for writing assignments and class discussions. Some of the articles reexamined the traditional family model, as did some of the questions Mr. Smith wrote. Also, various familial arrangements were described, including adultery, polygamy, and premarital sex. When Mr. Smith began the unit he distributed some of the articles to his students.

During lunch, several students were discussing the materials and a teacher who was monitoring the cafeteria overheard their comments. She asked the students about the materials, why they were studying them, and in what course they were being used. The students were just beginning the unit and were not able to give very complete responses to her questions. The teacher was concerned about what she heard and decided to take the matter to the vice-principal responsible for curriculum and instruction.

The vice-principal was also concerned and asked Mr. Smith to speak with him. During their conversation, Mr. Smith described the rationale for the unit, the sources he was using, and the kinds of things he hoped students would learn. This seemed to calm the vice-principal's fears. He asked that copies of the readings and questions be submitted to him so he could report to the teacher complainant that he had reviewed

the unit. Mr. Smith agreed and gave the vice-principal a copy of everything the students had received and would receive, as well as copies of his unit and lesson plans. He also attached a brief statement about the unit.

Later that week Mr. Smith was called back to the vice-principal's office. The vice-principal informed him that he was now concerned that some of the materials might be "questioned out of context." He added that it might be wise to delete some of the readings and to rephrase some of the questions so that there would be "a more positive emphasis placed upon the American idea of the family." Mr. Smith did not agree and said so, pointing out that he was willing to defend his selection of materials to anyone who wished to question him and that his class was always open to visitors. No resolution seemed possible, so the vice-principal reluctantly took the matter to the principal.

The result of all this was a meeting of the principal, vice-principal, head of the social studies department, and Mr. Smith. Mr. Smith had the impression that the other three had met to discuss the matter before they spoke with him. They presented a united front, and all three agreed that the unit should be revised. No one questioned the accuracy of any of the information presented or the quality of Mr. Smith's instruction. In fact, they restated affirmations on these counts several times. But they continued to insist that he delete some materials, revise his questions, and assume "a less critical attitude toward the American family."

According to the principal, the school had a responsibility to the community to "uphold the values parents are trying to teach their children," and not to encourage "further questioning of what our parents think is right." He assured Mr. Smith the he knew his intentions were proper and that he was not "working against the family," but that it was necessary to "avoid trouble before it got started."

Mr. Smith was tempted to insist on keeping the unit in its original form. He was pleased with the work he had done. He

felt that his students had a right to consider alternatives. In fact, he had been careful to delete words that might seem offensive and to select readings that he thought were less extreme than others he had considered. However, he remembered a budget reduction in the district and realized that several teachers would surely be assigned to other schools or even to departments in which they were not really qualified. He also realized that some colleagues in his department who were competent and qualified to teach the 12th-grade social science course would enjoy that assignment. In short, he feared he might not be able to continue teaching his favorite course in a school he preferred. So he agreed to the suggestions made at the meeting, revised the unit, dropped several readings, and added some that stressed the advantages of the two-parent nuclear family. He is still teaching 12th-grade social science at the same school.

This case of external pressure and self-censorship, like the examples at the beginning of this paper, raises questions about teacher freedom. Many factors influence teachers who are making decisions involving academic freedom. These decisions are rarely black and white; often several conflicting factors are involved in the decision, and these factors must be reprioritized with each new, unique situation.

Some Factors Involved in Developing a Set of Principles

A set of principles regarding academic freedom can facilitate making educational decisions as they arise. A variety of factors influence such decisions. Seven that appear to be important are presented here. Because all seven are interrelated, and because different constraints apply to individual cases, the order of importance for these factors must be left up to the individual teacher who is formulating a personal set of principles on academic freedom.

1) Community Attitudes

Many schools serve a diverse community. As a result, there are topics and activities the social studies teacher may pursue that will

arouse community opposition from some quarter. Conversely, there are topics and activities that general community attitudes would encourage. The instructor seeking stability and/or promotion might find these attitudes to be an important factor in determining course content.

2) School and System Attitudes

Peers and administrators may have attitudes about social studies content, about how one should teach, and about what role the students should play in the process of instruction. The social studies teacher makes decisions within the context of informal peer evaluation as well as formal and informal administrative evaluation.

3) Legal Rights

There are a number of protections available to social studies teachers who may be challenged on academic freedom issues. Some of these have been mentioned in this paper. Clearly, legal rights to teach and select content according to professional judgment are an important consideration in deciding what to accept as personal principles. The American Civil Liberties Union and other organizations referenced in this paper can provide background information and legal assistance.

4) Professional Obligations

These too have been suggested in this paper. Aside from their own personal beliefs, social studies teachers are members of a profession with stated standards and expectations. Failure to adhere to written or implied ethical obligations to uphold professional standards may entail legal or other actions against an instructor.

5) Historical Precedents

The several possible points of view on academic freedom each have a historical basis. The rationale behind a point of view is often based on precedents or prior experiences. These can be useful in determining a personal set of principles.

6) Responsibilities to Students

In deciding what their obligations to students may be, social studies teachers might conclude that the protection of academic freedom is needed to fulfil those obligations. This is certainly true when selecting content that is important for student investigation but may be at odds with community or school attitudes. Further, the use of particular strategies

for skill development (such as promoting reflective thought) may also be at odds with community and/or school attitudes and positions.

7) Personal Philosophies and Ethical Convictions

This factor is closely related to the preceding one. An assimilation of one's personal beliefs and perceptions of one's role as an instructor will lead to conclusions about the nature of academic freedom. The results of such reflection may need to be modified in the context of other factors.

Framing Questions About Academic Freedom

We began with case studies that illustrated several ways in which academic freedom can become an issue in elementary and secondary schools. Historical background demonstrated that the European university tradition has provided much of the basis for academic freedom in American universities, but has had little effect on that same freedom in elementary and secondary schools. Three broad categories of views on academic freedom were presented: (1) there are no grounds for distinguishing academic freedom and more generally defined freedom; (2) academic freedom should exist within limits that are structurally determined; and (3) academic freedom should exist within limits determined by the professional role of educators. Any of these three views may be applied to teachers in elementary and secondary schools. Legal restrictions, formal regulations, and self-censorship were shown to be possible sources of infringement upon academic freedom. Then seven factors that should be considered in determining a personal set of academic freedom principles were suggested. To help readers tie all this together and begin developing systematic principles on academic freedom, we suggest the following set of questions, which arise from a consideration of the meaning and application of academic freedom in elementary and secondary schools:

1) Who should have the protection of academic freedom?

Certificated teachers?
Tenured teachers?
Teachers of upper-grade subjects?
Teachers in public schools?
Teachers who have advanced degrees or specialties?
Teachers who belong to certain teacher associations?
All teachers?
No teachers?

2) What are appropriate grounds for awarding academic freedom?

Employment at an educational institution?
Maturity and wisdom?
Competence in a particular field?
Level of educational attainment?
Search for truth?
Membership in a free society which requires it?
No grounds are appropriate?

3) In what circumstances should teachers be protected by academic freedom?

When performing contract duties on school grounds?
When engaged in public action?
When teaching topics not proscribed by legal authorities?
When presenting only factual information?
In any circumstances?
In no circumstances?

4) What activities should not be protected by academic freedom?

Knowingly making false statements?
Immoral conduct or encouragement of others in same?
Illegal conduct or its encouragement?
Criticism of school authorities?
Activities not associated directly with school work?

It is well to remember while exploring these questions that there are few clear-cut, precise answers that remain everlasting. Academic freedom, like all freedoms, undergoes continual reinterpretation as new situations develop. These questions must be considered in the context of rapidly changing ideals and values; their answers must be continually reassessed. If these questions were asked in 1877 the answers would be very different from answers to the same questions in 2077.

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Additional Readings

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